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PTO/SB/64 (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) G0744.70031US03
First named inventor: Li-How Chen		
Application No: 10/082,018-Conf. #8070	Art Unit: 1632	
Filed: February 20, 2002	Examiner: D. Crouch	
Title: NOVEL MODIFIED MSP-1 NUCLEIC ACID SEQUENCES AND METHODS FOR INCREASING MRNA LEVELS AND PROTEIN EXPRESSION IN CELL SYSTEMS		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
<div style="list-style-type: none;"><div>(1) Petition fee;</div><div>(2) Reply and/or issue fee;</div><div>(3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</div><div>(4) Statement that the entire delay was unintentional.</div></div>		
1. Petition fee		
<div><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</div> <div><input checked="" type="checkbox"/> Other than small entity – fee \$ <u>1,500.00</u> (37 CFR 1.17(m))</div>		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in		
the form of _____ (identify type of reply):		
<div><input type="checkbox"/> has been filed previously on _____</div> <div><input type="checkbox"/> is enclosed herewith.</div>		
B. The issue fee and publication fee (if applicable) of \$ <u>1,400.00</u>		
<div><input type="checkbox"/> has been paid previously on _____</div> <div><input checked="" type="checkbox"/> is enclosed herewith.</div>		

07/17/2007 H1EMESS2 00000091 10082018
01 FC:1501

1400.00 DP

07/17/2007 MGBREMI 00000044 10082018
01 FC:1455 1500.00 DP
02 FC:1801 790.00 DP
03 FC:1464 130.00 DP

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

July 12, 2007

Date

Janice A. Vatland, Ph.D.

Typed or printed name

52,318

Registration Number, if applicable

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- Enclosures: ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Petition to Withdraw Application from Issue

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Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 12, 2007Signature:  (Michelle M. Quinn)